

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

52286

Morton & Craig LLC
William E. Craig, Esquire
110 Marter Ave., Suite 301
Moorestown, NJ 08057
Attorney for Quantum3 Group, LLC
as agent for MOMA Trust LLC, as assignee of Sierra
Auto Finance

In Re:

GIRVISH PHELPS



Order Filed on May 24, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No. 19-16308

Judge: (ABA)

**ORDER RESOLVING MOTION FOR STAY RELIEF AND CO-DEBTOR RELIEF:
FOR SECURED AMOUNT TO BE PAID THROUGH DEBTOR'S CHAPTER 13 PLAN
ADEQUATE PROTECTION PAYMENTS, AND STAY RELIEF AND CO-DEBTOR
RELIEF UNDER CERTAIN CIRCUMSTANCES**

The relief set forth on page number two (2) through three (3) is hereby **ORDERED**.

DATED: May 24, 2021



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Girvish Phelps

Case No: 19-16308

Caption of Order: Order Resolving Motion For Stay Relief And Co-Debtor Relief: for secured amount to be paid through Debtor's Chapter 13 plan, adequate protection payments, and stay relief and co-debtor relief under certain circumstances

This matter having brought before this Court on a Motion For Stay Relief And Co-Debtor Relief filed by John R. Morton, Jr., Esq., attorney for Quantum3 Group, LLC as agent for MOMA Trust LLC, as assignee of Sierra Auto Finance ("Quantum3"), with the appearance of Andrew M. Carroll, Esq. on behalf of the Debtor, and this Order having been filed with the Court and served upon the Debtor and his attorney under the seven day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

- 1. That Quantum3 is the holder of a first purchase money security interest encumbering 2013 Nissan Rogue bearing vehicle identification number JN8ASSMVXDW630049.**
- 2. That the secured amount that Quantum3 shall be paid through the Debtor's plan shall be \$16,754.64. This amount is reached using the agreed value of the vehicle of \$13,063.00, amortized at 16.95% over the remaining thirty-six (36) months of the plan.**
- 3. That commencing May 2021, the Chapter 13 Trustee is hereby directed to make monthly adequate protection payments to Quantum3 in the amount of \$465.41. Adequate protection payments to Quantum3 shall be made monthly up to and after confirmation, until all counsel fees have been paid and regular distributions begin to be made to Quantum3. If in any month there are insufficient funds on hand to pay both counsel fees and adequate protection payments, then funds on hand shall be used to pay adequate protection payments first, with the remaining balance going to counsel fees. If, after confirmation, counsel fees remain to be paid, then adequate protection payments shall continue to be paid to Quantum3 until the remaining counsel fees have been paid. The Debtor shall receive a credit for all adequate protection payments made against the total amount to be received by Quantum3 through the plan.**

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Debtor: Girvish Phelps

Case No: 19-16308

Caption of Order: Order Resolving Motion For Stay Relief And Co-Debtor Relief: for secured amount to be paid through Debtor's Chapter 13 plan, adequate protection payments, and stay relief and co-debtor relief under certain circumstances

- 4. That commencing May 2021, if the Debtor fails to make any payment to the Chapter 13 Trustee within thirty (30) days after it falls due, Quantum3 shall be entitled to stay relief and co-debtor relief upon filing a certification with the Court and serving it on the Debtor, his attorney, and the Chapter 13 Trustee.**
- 5. That the Debtor must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Quantum3 Group must be listed as loss payee. If the Debtor fails to maintain valid insurance on the vehicle, Quantum3 shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtor, his attorney, and the Chapter 13 Trustee.**
- 6. That Quantum3 shall retain its lien on the vehicle until the earlier of payment of the underlying debt under non-bankruptcy law, or the Debtor receiving a discharge.**

In re:
Girvish Phelps
Debtor

Case No. 19-16308-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: May 24, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2021:

Recip ID	Recipient Name and Address
db	+ Girvish Phelps, 2 Tanglewood Circle, Clayton, NJ 08312-1970

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 26, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2021 at the address(es) listed below:

Name	Email Address
Andrew M. Carroll	on behalf of Debtor Girvish Phelps AndrewCarrollEsq@gmail.com SouthJerseyBankruptcy@gmail.com
Angela Catherine Pattison	on behalf of Creditor Carrington Mortgage Services LLC apattison@hillwallack.com, hwbknj@hillwallack.com
Angela Catherine Pattison	on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SPS2 apattison@hillwallack.com, hwbknj@hillwallack.com
Denise E. Carlon	on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-SPS2 dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing bk@stewartlegalgroup.com

District/off: 0312-1

User: admin

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Date Rcvd: May 24, 2021

Form ID: pdf903

Total Noticed: 1

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

John R. Morton, Jr.

on behalf of Creditor Quantum3 Group LLC, as agent for MOMA Trust LLC, an assignee of Sierra Auto Finance
ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

Kevin Gordon McDonald

on behalf of Creditor The Bank of New York Mellon fka The Bank of New York as Trustee (CWABS 2005-12)
kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William E. Craig

on behalf of Creditor Quantum3 Group LLC, as agent for MOMA Trust LLC, an assignee of Sierra Auto Finance
mortoncraigecf@gmail.com, mortoncraigecf@gmail.com

TOTAL: 11